JUL 1 4 2008 W

## AMENDMENT TRANSMITTAL LETTER

Docket No.
SPINE 3.0-437 CPCPCPCPCPCPCP II

Application No. Filing Date Examiner Art Unit 10/784,645-Conf. #8190 February 23, 2004 B. E. Pellegrino 3738

Applicant(s): Joseph P. Errico, Michael W. Dudasik, and Rafail Zubok

Invention: WEDGE PLATE INSERTER/IMPACTOR AND RELATED METHODS FOR USE IN IMPLANTING AN ARTIFICIAL INTERVERTEBRAL DISC

## TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

		CLA	ΝI	S AS AMENI	DED					
	Claims Highest Remaining Number After Previously Amendment Paid		Number Extra Claims Present							
Total Claims	5	- 20	=	0	x	50.00	0.00			
Independent Claims	1	- 3	=	0	х	210.00	0.00			
Multiple Depend	ent Claims (ch	ck if applic	abl	e)						
Other fee (pleas	e specify):									
TOTAL ADDITI	0.00									
x Large Entity						Small Entity				
No additional fee is required for this amendment.										
A duplicate o	ge Deposit Acc copy of this she ne amount of \$	et is enclo	sed	l.			osed.			
Payment by credit card. Form PTO-2038 is attached.										
	below. A dup	licate copy					o. <u>12-1095</u>			
	ny overpaymer									
x Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.										
William A. Di Bi			_			Dated:	July 9, 2008			
Attorney/Agent	Reg. No.: 58,	653								
LERNER, DAVI 600 South Aver Westfield, New (908) 654-5000	nue West Jersey 07090	,	НО	LZ & MENTL	IK, LLI	>				

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class May, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: July 9, 2008

Signature: 4

(William A. Di Bianca)

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		Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate							
	Total Claims	5	- 20 =	0	x 50.00		0.00					
	Independent Claims	1	- 3 =	0	x 210.00		0.00					
	Multiple Depend	lent Claims (ch	eck if applicabl	e)								
Other fee (please specify):												
	TOTAL ADDIT	IONAL FEE FO	OR THIS AME	NDMENT:			0.00					
	x Large Entity Small Entity											
No additional fee is required for this amendment.												
Please charge Deposit Account No in the amount of \$  A duplicate copy of this sheet is enclosed.												
A check in the amount of \$ to cover the filing fee is enclosed.												
					and ming too to on	51 <b>5554</b> .						
Payment by credit card. Form PTO-2038 is attached.  X The Director is hereby authorized to charge and credit Deposit Account No. 12-1095												
as described below. A duplicate copy of this sheet is enclosed.  x Credit any overpayment.												
x Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.												
Dated: July 9, 2008												
William A. Di Bianca / Study 9, 2008 Attorney/Agent Reg. No.: 58,653												
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP 600 South Avenue West Westfield, New Jersey 07090 (908) 654-5000												
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